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DEPARTMENT FOR EAP, EAP/CM
NSC FOR DENNIS WILDER

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SUBJECT: HONG KONG ELECTORS CHOOSE CHIEF EXECUTIVE ELECTION
COMMITTEE

REF: A. HONG KONG 4207

¶B. HONG KONG 3872

Classified By: Acting DPO Laurent Charbonnet; Reasons 1.4 (b, d)

¶1. (C) Summary: On December 10, a small minority of Hong Kong citizens will select the 800-member Chief Executive (CE) Election Committee, which next March will elect a CE to serve from 2007 to 2012. Incumbent CE Donald Tsang almost certainly will be reelected for a five-year term in March 2007, although he has yet to announce his candidacy; the only relevant questions are whether his sole declared opponent, pro-democracy Civic Party legislator Alan Leong, will reach the 100-nomination threshold required to contest the election in March, and to what extent the central government in Beijing might attempt to influence the electoral process. It remains unclear whether Leong will be successful; even if his supporters win more than 100 Election Committee seats, there is no guarantee that he can maintain that level of support through next March. A subsequent cable will examine election issues and prospects in more detail. End Summary.

¶2. (C) Comment: Beijing's activities to date have been exceedingly subtle and low-key; even democratic activists are hard-pressed to give concrete examples of Beijing's meddling, even in confidence. We expect that Beijing is biding its time and will be looking to see the complexion of the 800-member Election Committee elected on Sunday. If Alan Leong supporters should manage to capture a larger-than-expected number of seats in the Committee, Beijing may very well decide to increase pressure on Election Committee members. In the meantime, pro-Beijing supporters don't need to be told what to do -- they know Beijing is hoping for an uncontested, smooth, and predictable election. End Comment.

¶3. (C) On December 10, approximately 220,000 Hong Kong citizens will be eligible to cast votes for the 800-member Chief Executive Election Committee (EC). Nobody in Hong Kong has any doubt that incumbent CE Donald Tsang will be reelected for a five-year term in March 2007; the only relevant questions are whether his sole opponent, Civic Party legislator Alan Leong, will reach the 100-nomination threshold in February required to contest the election, and to what extent the central government in Beijing might attempt to influence the electoral process.

Two Contenders, One Platform

¶4. (SBU) CE Tsang has not yet formally announced his candidacy for reelection, nor has he provided any hint about

his policy priorities for 2007-12. In his October 11 annual Policy Address (ref a), Tsang specifically limited his discussion to issues he could address during the remaining months of his current term, an approach which generated considerable criticism for lacking substance. Since that address, Tsang has not offered any hints about possible policy initiatives during his presumptive second term.

¶5. (SBU) Civic Party legislator Alan Leong, who became the pan-democracy camp's candidate following former Chief Secretary Anson Chan's decision not to run (ref b), formally

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declared his candidacy on November 6. In contrast to Tsang's avoidance of substantive proposals, Leong has offered a broad agenda of political, economic, and social measures that he believes are urgently required: universal suffrage, improvements in the education system, a minimum wage, health care reform, and measures to reduce air pollution. To address these and other policy needs, Leong said a democratically elected government is a prerequisite for good governance; without electoral competition, he asked rhetorically, how could the city have a real debate on the issues?

¶6. (C) On November 20, Leong told the Consul General that he had hoped to build momentum for his campaign by announcing his candidacy early, knowing that CE Tsang would announce late; Leong then would be able to shape the debate agenda. (Note: Hong Kong law states that Government officials cannot be candidates for CE. Tsang will have to step down as CE before formally announcing his own candidacy; it is widely expected he will resign close to the start of the CE nomination period in February. End Note.) In a November 21 speech at the Hong Kong Foreign Correspondents Club, Leong said he had decided to run because the absence of electoral competition had left the people of Hong Kong with leaders who

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were "arrogant and remote." He acknowledged that the election would be difficult, because the "system is rigged" and there would be "intense political pressure" on individual electors to support the incumbent; how many of these electors, he asked, would be "willing to commit financial or professional suicide" to support him?

Procedures Stipulated by the Basic Law

¶7. (SBU) Under Hong Kong's Basic Law, an Election Committee of 800 Hong Kong residents chooses the Chief Executive for a five-year term. The last such election was in 2005, following the early resignation of incumbent Tung Chee-hwa. (See paragraph 9 for the current timetable.) A CE candidate must be a Chinese citizen, at least 40 years old, a permanent resident of Hong Kong who has resided in the Hong Kong Special Administrative Region (HKSAR) for at least twenty years, and have no right of abode in a foreign country. Annex I of the Basic Law outlines the method for the selection of the Chief Executive, including the composition of the EC and the nomination of CE candidates. To become a CE candidate, a person must receive nominations from at least 100 of the 800 Election Committee members. Each member can only nominate one candidate. If there are two or more candidates who each receive more than 100 nominations, the EC will vote by sec-ret ballot, about a month later, with each member getting one vote. The candidate who receives an absolute majority (at least 401) of the votes becomes CE. If there is only one CE candidate, the EC would cast a "vote of confidence" by sec-ret ballot on the sole candidate; the candidate would also need an absolute majority to become CE.

¶8. (C) The EC is composed of four sectors of 200 members each, representing various business, social, professional, political and organizational constituencies. The four sectors are further broken down into 38 subsectors. Septel

will discuss the Byzantine structure of the 800-person Election Committee. Suffice it to say that the sector/subsector structure encourages maximum influence by inherently conservative business and organizational elites.

Four-Stage Process

¶ 9. (SBU) The first stage of the election process took place November 1-8, when eligible voters submitted nominations for the EC to the Hong Kong Government's Electoral and Registration Office. During the second stage, scheduled for December 10, the voters in each subsector will elect their specified shares of the 800 EC members. In the third stage, to be held on a yet to be determined date in February, the Government will announce a nomination period, during which the 800 EC members can nominate candidates for Chief Executive; each voter's selection will be a matter of public record. To contest the CE election, a candidate must receive at least 100 nominations. The fourth and final phase will take place on March 25, when the EC members will vote by secret ballot to elect the next CE.

Prospects

¶ 10. (SBU) Of the 333 EC members whose seats are uncontested, only about 18-20 (the Legislative Council (Legco) pan-democrats) are expected to nominate Alan Leong, while the other 5-7 Legco pan-democrats plan to abstain. For the remaining 467 contested EC seats, the pan-democrats are fielding 104 candidates, but expect to do well in just a few subsectors: legal, education, higher education, health services, medical, information technology, social welfare, and district councils. The First Sector, composed of representatives from pro-Beijing and/or pro-business industrial and commercial groups, will deliver nearly all of its 200 votes to the incumbent; only four pro-democracy individuals from the tourism subsector might win places. The Second, Third, and Fourth Sectors, representing various professional groups, discussed in septel, are expected to provide the bulk of Leong's support. Most of the 200 seats in the Fourth Sector, including the Chinese People's Political Consultative Conference (CPPCC), the National People's Congress (NPC), the Heung Yee Kuk (certain indigenous New Territories residents whose seats are guaranteed by the Basic Law) and Legco, are uncontested, but there are contested races for 42 District Council seats.

¶ 11. (C) As of two days before the vote, opinions remain

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divided on whether the pan-democrats will win at least one hundred seats. NPC delegate and Liberal Party founder Allen Lee told us on December 4 that he expected Leong to gain no more than 80-90 seats, short of the minimum needed to contest the March 2007 election. Similarly, Democratic Party Vice Chairman Chan King-ming told us on November 30 that Leong had "no chance" to get one hundred seats in the EC. Various other pan-democratic leaders, including Civic Party legislator Ronny Tong, Democratic Party Chairman Lee Wing-tat and Civic Party Secretary General Joseph Cheng, have been slightly more optimistic, but still will only venture that Leong has a "good chance" to reach the threshold. Even if the democrats exceed the 100 level on December 10, however, their strategists fear there could be "erosion" of their support, presumably due to pressure from the central government and/or its local supporters, before the final vote on March 25. To provide for that contingency, Cheng and others feel Leong needs to win at least 120-130 seats on December 10 "to be safe."

¶ 12. (C) Allen Lee and Joseph Cheng also agree that the pan-democrats would need a high turnout (at least 40 percent, compared to the roughly 20 percent turnout in 2005). According to Cheng, however, the Leong candidacy is fighting

to overcome a surprising level of apathy among potential voters; many of the academics, attorneys, and other professionals who would be expected to support Leong were not well informed on the issues and did not even know the date of the election. Beijing, on the other hand, was "fully mobilized" for the election: the pro-Beijing camp in Hong Kong had worked hard to produce lists of well-known or at least "neutral" candidates in many sectors, and also had attempted in most of the professional subsectors to "blur the differences" on policy issues and platforms between their candidates and the pan-democrats. For example, Cheng said he attended a December 1 seminar at Hong Kong University where two candidates in the higher education subsector, both university vice presidents whom Cheng knew to favor Donald Tsang, had announced publicly that they had "democracy in

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their blood."

PRC Influence

¶13. (C) Specific and reliable information concerning efforts by the central government to influence the outcome of the CE election process is almost impossible to find. Many observers can supply rumors or conjectures, but few can offer specifics; other observers cast as nefarious actions that would otherwise be considered normal competitive electoral politics. One common thread is that Beijing has encouraged its supporters to contest the EC election to "dilute" the pro-democracy vote. For example, as early as March 2006, the Hong Kong press reported that mainland officials responsible for Hong Kong and Macau affairs had told Hong Kong delegates to the NPC and CPPCC during meetings in Beijing that the pro-Beijing Democratic Alliance for the Betterment and Progress of Hong Kong (DAB), the Liberal Party, and "patriotic businessmen" should try their best to participate in the EC election. The press also speculated that the PRC Liaison Office in Hong Kong would coordinate the activities of the pro-Beijing groups for the EC election. In April, Executive Council and Legco member Jasper Tsang Yok-sing wrote in the independent "Ming Pao" newspaper that a landslide victory for Tsang, preferably with no opponent, would be conducive to Hong Kong's stability and prosperity and was therefore a scenario that the central government would favor.

Sakaue